

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

**RUSTON LOUISIANA HOSPITAL
CO., LLC** * **CIVIL ACTION NO. 3:18-CV-0881**

VERSUS * **JUDGE TERRY A. DOUGHTY**

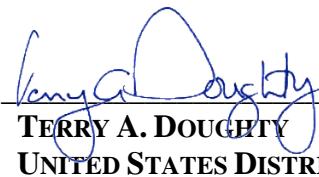
**LINCOLN HEALTH
FOUNDATION, INC.** * **MAG. JUDGE KAREN L. HAYES**

O R D E R

The Report and Recommendation of the Magistrate Judge having been considered, after de novo review following objections to same, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that Defendant's motion to dismiss for failure to state a claim [Doc. No. 5] is **DENIED**. Defendant's defenses require evidence which cannot be considered in a Rule 12(b)(6) motion.

MONROE, LOUISIANA, this 4th day of December, 2018.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE